

In the claims:

1. (currently amended) A program product for use by a wireless device in a wireless communications environment, the program product comprising a computer readable medium having embodied therein a computer program for storing data, the computer program comprising:

logic for associating the wireless device with a current access point on a first channel; logic for ascertaining, by the wireless device, whether the wireless device should attempt to associate with an alternative access point operating on a second channel, the ascertaining logic utilizing, at least in-part, signal strengths of transmissions from the ~~current and~~ alternative access ~~point points~~, and technology type employed by the ~~current and~~ alternative access ~~point points~~;
and

logic for requesting association with the alternative access point if it is ascertained that the wireless device should attempt to associate with said alternative access point.

2. (currently amended) The program product of claim 1 further comprising:

logic for automatically collecting, by the wireless device, information about access points operating on other channels, including indications of transmit power backoff.

3. (currently amended) The program product of claim 2 wherein the logic for ascertaining obtains an indication of expected data rate of service by the alternative access point, and ascertains that the wireless device should attempt to associate with the alternative access point operating on said second channel if the alternative access point on said second channel has a greater expected data rate than an actual data rate provided by the current access point is closer than the current access point.

4. (currently amended) The program product of claim 3 wherein the logic for ascertaining ascertains ~~that the alternative access point on said second channel is closer than the current access point~~ by:

calculating a first biased distance between the wireless device and the current access point based on "x" samples;

calculating a second biased distance between the wireless device and the alternative access point operating on said second channel based on "y" samples where "y" is less than "x"; and

ascertaining that the alternative access point operating on said second channel is closer than the current access point if the second biased distance is less than the first biased distance.

5. (currently amended) The program product of claim 3 wherein the logic for requesting association requests association by sending a bid message to the alternative access point operating on said second channel prior to disassociating from the current access point.

6. (withdrawn) A program product for use by a wireless device in a wireless communications environment, the program product comprising:

logic operable for associating the wireless device with a first access point on a first channel;

logic operable for determining, by the wireless, whether a second access point would provide a better data rate than the first access point; and

logic operable for requesting, by the wireless device, association with the second access point if it is determined that the second access point would provide a greater data rate than the first access point.

7. (withdrawn) The program product of claim 6 wherein the second access point operates on the first channel.

8. (withdrawn) The program product of claim 6 wherein the second access point operates on a second channel.

9. (withdrawn) The program product of claim 6 wherein the determining logic utilizes, at least in-part, signal strength of transmissions from the first and second access points.

10. (withdrawn) The program product of claim 6 wherein the determining logic utilizes, at least in-part, an indication of loading advertised by the first and second access points.

11. (currently amended) The program product of claim 1 wherein the alternative access point is operating at a purposefully attenuated transmission signal strength, and wherein the ascertaining logic also employs maximum potential signal strength of the alternative access point points for ascertaining whether the wireless device should attempt to associate with the alternative access point.

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